

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DANIEL L. COPLIN,)
)
Plaintiff,)
)
vs.) Case No. 4:04CV00454 AGF
)
BOB WILLS, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. The Court has granted Plaintiff, who is proceeding pro se and in forma pauperis, several extensions of time in which to obtain proper service upon several Defendants by providing the Clerk's Office with addresses at which these Defendants could be served. By Order dated April 22, 2005, Plaintiff was cautioned that he had up to and including May 16, 2005, to provide addresses (preferably home addresses) at which the unserved defendants could be served, and that failure to do so or to otherwise effect service would result in the dismissal without prejudice of any unserved Defendants. Several Defendants have now been served, but on June 16, 2005, summonses as to two Defendants, Michelle Allen and Amber Roth, were returned unexecuted because they were no longer employed by the correctional facility whose address Plaintiff provided.

Pursuant to this Court's Order dated April 22, 2005, these two Defendants shall now be dismissed. See Holleran v. Baker, 2004 WL 2165357 (8th Cir. Sept. 15, 2004) (per curiam) (unpublished) (no abuse of discretion for district court to dismiss inmate's

§ 1983 complaint against former jail official where summons was returned unexecuted because the defendant no longer worked for the county and plaintiff failed to comply with court's order to provide proper address at which the defendant could be served).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's complaint is dismissed without prejudice as to Defendants Michelle Allen and Amber Roth for failure to effect service upon them in a timely fashion.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE

Dated this 24th day of October, 2005.